

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA

SUPERSEDING INDICTMENT

PETER OPPENEER
CLERK US DIST COURT
WD OF WI

v.

Case No. 20-cr-133-wmc

18 U.S.C. § 1168(b)

26 U.S.C. § 7206(1)

LEVA OUSTIGOFF, Jr., a.k.a. DINO,

Defendant.

THE GRAND JURY CHARGES:

BACKGROUND

1. At times material to this superseding indictment:

a. The St. Croix Casino Turtle Lake was operated by or for or licensed by the St. Croix Chippewa Indians of Wisconsin pursuant to an ordinance or resolution approved by the National Indian Gaming Commission.

b. Defendant, LEVA OUSTIGOFF, Jr., a.k.a. DINO, was an employee of the St. Croix Casino Turtle Lake. Beginning in June 2015, he held the position of General Manager/CEO of the Turtle Lake Casino in Turtle Lake, Wisconsin. In his capacity as general Manager/CEO, Oustigoff had the authority to request the disbursement of funds for casino related business and was a signer on casino bank accounts.

COUNT 1

On or about December 18, 2015, in the Western District of Wisconsin, the defendant,

LEVA OUSTIGOFF, Jr., a.k.a. DINO,

being an employee of the St. Croix Casino Turtle Lake, a gaming establishment operated by or for or licensed by an Indian Tribe, that of the St. Croix Chippewa Indians of Wisconsin,

pursuant to an ordinance or resolution approved by the National Indian Gaming Commission, embezzled and willfully misapplied approximately \$9,500 of money of such establishment.

(In violation of Title 18, United States Code, Section 1168(b)).

COUNT 2

On or about February 17, 2016, in the Western District of Wisconsin, the defendant
LEVA OUSTIGOFF, Jr., a.k.a. DINO,
willfully made and subscribed a U.S. Individual Income Tax Return, Form 1040, for the calendar year 2015, which was verified by a written declaration that it was made under the penalties of perjury, and was filed with the Internal Revenue Service, which said income tax return the defendant did not believe to be true and correct as to every material matter, in that on line 21 of Form 1040, the defendant reported other income of \$7,101, whereas the defendant then and there well knew and believed, his other income was greater than that reported.

(In violation of Title 26, United States Code, Section 7206(1)).

COUNT 3

On or about April 4, 2016, in the Western District of Wisconsin, the defendant,
LEVA OUSTIGOFF, Jr., a.k.a. DINO,
being an employee of the St. Croix Casino Turtle Lake, a gaming establishment operated by or for or licensed by an Indian Tribe, that of the St. Croix Chippewa Indians of Wisconsin, pursuant to an ordinance or resolution approved by the National Indian Gaming Commission, embezzled and willfully misapplied approximately \$7,500 of money of such establishment.

(In violation of Title 18, United States Code, Section 1168(b)).

COUNT 4

On or about April 29, 2016, in the Western District of Wisconsin, the defendant,

LEVA OUSTIGOFF, Jr., a.k.a. DINO,

being an employee of the St. Croix Casino Turtle Lake, a gaming establishment operated by or for or licensed by an Indian Tribe, that of the St. Croix Chippewa Indians of Wisconsin, pursuant to an ordinance or resolution approved by the National Indian Gaming Commission, embezzled and willfully misapplied approximately \$1,799 of money of such establishment.

(In violation of Title 18, United States Code, Section 1168(b)).

COUNT 5

On or about March 10, 2017, in the Western District of Wisconsin, the defendant

LEVA OUSTIGOFF, Jr., a.k.a. DINO,

willfully made and subscribed a U.S. Individual Income Tax Return, Form 1040, for the calendar year 2016, which was verified by a written declaration that it was made under the penalties of perjury, and was filed with the Internal Revenue Service, which said income tax return the defendant did not believe to be true and correct as to every material matter, in that on line 21 of Form 1040, the defendant reported other income of \$7,205, whereas the defendant then and there well knew and believed, his other income was greater than that reported.

(In violation of Title 26, United States Code, Section 7206(1)).

COUNT 6

On or about September 13, 2017, in the Western District of Wisconsin, the defendant,

LEVA OUSTIGOFF, Jr., a.k.a. DINO,

being an employee of the St. Croix Casino Turtle Lake, a gaming establishment operated by or for or licensed by an Indian Tribe, that of the St. Croix Chippewa Indians of Wisconsin, pursuant to an ordinance or resolution approved by the National Indian Gaming Commission, embezzled and willfully misapplied approximately \$8,599 of money of such establishment.

(In violation of Title 18, United States Code, Section 1168(b)).

COUNT 7

On or about October 19, 2017, in the Western District of Wisconsin, the defendant,

LEVA OUSTIGOFF, Jr., a.k.a. DINO,

being an employee of the St. Croix Casino Turtle Lake, a gaming establishment operated by or for or licensed by an Indian Tribe, that of the St. Croix Chippewa Indians of Wisconsin, pursuant to an ordinance or resolution approved by the National Indian Gaming Commission, embezzled and willfully misapplied approximately \$8,599 of money of such establishment.

(In violation of Title 18, United States Code, Section 1168(b)).

COUNT 8

On or about October 25, 2017, in the Western District of Wisconsin, the defendant,

LEVA OUSTIGOFF, Jr., a.k.a. DINO,

being an employee of the St. Croix Casino Turtle Lake, a gaming establishment operated by or for or licensed by an Indian Tribe, that of the St. Croix Chippewa Indians of Wisconsin, pursuant to an ordinance or resolution approved by the National Indian Gaming Commission, embezzled and willfully misapplied approximately \$20,000 of money of such establishment.

(In violation of Title 18, United States Code, Section 1168(b)).

COUNT 9

On or about November 27, 2017, in the Western District of Wisconsin, the defendant,

LEVA OUSTIGOFF, Jr., a.k.a. DINO,

being an employee of the St. Croix Casino Turtle Lake, a gaming establishment operated by or for or licensed by an Indian Tribe, that of the St. Croix Chippewa Indians of Wisconsin,

pursuant to an ordinance or resolution approved by the National Indian Gaming Commission, embezzled and willfully misapplied approximately \$8,000 of money of such establishment.

(In violation of Title 18, United States Code, Section 1168(b)).

COUNT 10

On or about March 08, 2018, in the Western District of Wisconsin, the defendant
LEVA OUSTIGOFF, Jr., a.k.a. DINO,
willfully made and subscribed a U.S. Individual Income Tax Return, Form 1040, for the calendar year 2017, which was verified by a written declaration that it was made under the penalties of perjury, and was filed with the Internal Revenue Service, which said income tax return the defendant did not believe to be true and correct as to every material matter, in that on line 21 of Form 1040, the defendant reported other income of \$2,243, whereas the defendant then and there well knew and believed, his other income was greater than that reported.

(In violation of Title 26, United States Code, Section 7206(1)).

COUNT 11

On or about January 18, 2018, in the Western District of Wisconsin, the defendant,
LEVA OUSTIGOFF, Jr., a.k.a. DINO,
being an employee of the St. Croix Casino Turtle Lake, a gaming establishment operated by or for or licensed by an Indian Tribe, that of the St. Croix Chippewa Indians of Wisconsin, pursuant to an ordinance or resolution approved by the National Indian Gaming Commission, embezzled and willfully misapplied approximately \$8,637 of money of such establishment.

(In violation of Title 18, United States Code, Section 1168(b)).

COUNT 12

On or about February 09, 2019, in the Western District of Wisconsin, the defendant

LEVA OUSTIGOFF, Jr., a.k.a. DINO,

willfully made and subscribed a U.S. Individual Income Tax Return, Form 1040, for the calendar year 2018, which was verified by a written declaration that it was made under the penalties of perjury, and was filed with the Internal Revenue Service, which said income tax return the defendant did not believe to be true and correct as to every material matter, in that on Schedule 1, line 21 of Form 1040, the defendant reported other income of \$1,921, whereas the defendant then and there well knew and believed, his other income was greater than that reported.

(In violation of Title 26, United States Code, Section 7206(1)).

A TRUE BILL


PRESIDING JUROR

Indictment returned: 07/21/21


TIMOTHY M. O'SHEA
Acting United States Attorney